

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Dennis Lee Perry**

**Docket No. 5:93-CR-86-1BO**

**Petition for Action on Supervised Release**

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dennis Lee Perry, who, upon an earlier plea of guilty to Armed Bank Robbery and Aiding and Abetting, and Use of a Firearm during and in Relation to a Crime of Violence, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on January 10, 1994, to the custody of the Bureau of Prisons for a term of 295 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Dennis Lee Perry was released from custody on July 2, 2015, at which time the term of supervised release commenced.

On December 16, 2016, the conditions of supervised release were modified to add a curfew for a period not to exceed 60 days, with location monitoring, following the defendant's conviction in state court for the offense of Felony Attempted Breaking and Entering on December 1, 2016. It was noted then that the offense occurred in July 2015, 24 days after the defendant's release from federal prison, and had maintained compliance with the conditions of supervision since that time.

On March 20, 2017, the conditions of supervised release were modified again to include a curfew for 30 additional days, with electronic monitoring, as a result of the defendant using marijuana.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On May 8, 2017, the defendant submitted a drug screen in accordance with the Surprise Urinalysis Program that tested positive for the use of marijuana. When questioned about the test result, the defendant first said it was the result of using someone else's equipment to roll his own cigarettes, and that equipment contained marijuana. The defendant eventually admitted that he had used marijuana. He continues to participate in the Surprise Urinalysis Program and attends individual substance abuse treatment. The defendant was able to remain free of drugs while under a curfew previously, and it is requested the defendant be placed on a curfew with location monitoring for 30 more days. Additionally, the defendant was ordered to pay a special assessment of \$50.00, restitution in the amount of \$1,138.75, and a fine in the amount of \$13,000.00. The special assessment and a large portion of the restitution were paid during the defendant's period of imprisonment. The defendant, with assistance from family and friends, paid the restitution, in full, following his release from prison. A total of \$340.25 has been paid towards the fine, leaving an outstanding balance of \$12,759.75. The defendant suffers from mental illness, but he has been denied disability benefits and has been denied Medicaid. Without the ability to pay for medication, the defendant is highly unlikely to become employable. As a result, the defendant is without the ability to pay the fine originally imposed in this case. Therefore, it is recommended that the balance of the previously imposed \$13,000 fine be remitted. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

2. The fine of \$13,000.00 originally imposed in this case shall be modified to \$340.25, which has previously been paid.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

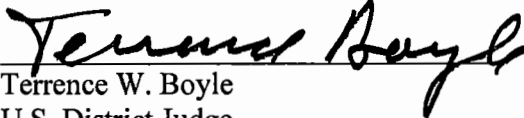
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/ Scott Plaster  
Scott Plaster  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8808  
Executed On: June 26, 2017

**ORDER OF THE COURT**

Considered and ordered this 27 day of June, 2017, and ordered filed and  
made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge